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Attorneys for Respondent
APPLE INC.

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: *EX PARTE* APPLICATION OF HMD
GLOBAL OY FOR AN ORDER UNDER 28
U.S.C. § 1782 TO OBTAIN DISCOVERY FOR
USE IN FOREIGN PROCEEDINGS

Case No. 25-mc-80022-EKL

**SECOND SUPPLEMENTAL
DECLARATION OF WOLRAD PRINZ ZU
WALDECK UND PYRMONT IN
SUPPORT OF APPLE INC.'S MOTION
TO QUASH SUBPOENA ISSUED
PURSUANT TO 28 U.S.C. § 1782**

1 I, Wolrad Prinz zu Waldeck und Pyrmont, declare under penalty of perjury under the
2 laws of the United States as follows:

3 1. I am an attorney admitted to practice in Germany and a partner in the Dusseldorf office
4 of the law firm Freshfields PartG mbB.

5 2. I previously submitted two declarations in the above captioned proceedings in support
6 of Apple Inc.'s motion to quash HMD's subpoena (the "*First Declaration*" and the "*Supplemental*
7 *Declaration*").

8 3. I make this supplemental declaration based on my own personal knowledge and based
9 on documents that I have reviewed. If called as a witness, I could competently testify to all facts within
10 my personal knowledge.

11 4. In the Munich District Court proceedings docket no. 21 O 13092/22, the Munich District
12 Court dismissed Huawei's infringement complaint against HMD Global Oy on 25 June 2025. Because
13 the Court dismissed the claims on the basis of non-infringement, it did not reach HMD's "FRAND"
14 defense, or address HMD's request for the production of any license agreements between Huawei and
15 Apple.

16 5. As a result of this order, there are no longer ongoing district court proceedings to which
17 the evidence sought in HMD's Petition could be relevant.

18 6. As we have been informed by the Munich Court of Appeal, on 25 July 2025, Huawei has
19 filed an appeal from the district court's decision. The appeal proceedings has the docket no. 6 U 2337/25.
20 As I have already stated in my *First Declaration* with regard to the other pending Munich Court of
21 Appeal cases (*id.*, at 14 et seq.; see also *Supplemental Declaration*, at 11), the Court could order the
22 production of any requested license agreements if it deemed them necessary to resolve the dispute. This
23 would only be the case if the court reverses the District Court decision that dismissed the case for non-
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1 infringement, does not stay the proceedings for lacking validity of the patent, and, finally, if it deems
2 access to the requested licence agreements necessary to assess HMD's FRAND defense.

3 7. The Munich Court of Appeal had scheduled oral hearing in the other two appeal
4 proceedings for January 22, 2026. We understand that one of the parties has requested a rescheduling
5 due to a conflict and that such rescheduling order is still outstanding.
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8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct.
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11 Executed this 3 September 2025, at Cologne, Germany.
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15 Wolrad Prinz zu Waldeck und Pyrmont
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